UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

KANSAS CITY REPERTORY THEATRE, INC. Employer

and

Case 17-RC-12647

KANSAS CITY FEDERATION OF MUSICIANS, LOCAL 34-627, A.F.M. Petitioner

ORDER

Employer's Request for Review of the Regional Director's Decision and Direction of Election is granted as it raises substantial issues warranting review.

CRAIG BECKER,

MEMBER

MARK GASTON PEARCE, MEMBER

MEMBER SCHAUMBER, dissenting in part:

While Member Schaumber concurs with his colleagues' grant of review, he would reverse rather than solicit briefs and delay issuance of a decision. He believes the record establishes that the musicians at issue in this case have finite and brief terms with no reasonable expectancy of continued employment. As such, they are akin to temporary employees, a classification the Board has held is ineligible to vote in an election. *Marian Medical Center*, 339 NLRB 127, 128 (2003). Therefore, they may not constitute an appropriate unit. For these reasons, he respectfully dissents in part.

PETER C. SCHAUMBER, MEMBER

Dated, Washington, D.C., May 24, 2010.